

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 1:09-CR-98
)	
JAMES LAVELLE WILLIAMS)	MATTICE/CARTER

ORDER

On August 4, 2009, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation recommending (a) the Court accept Defendant James Lavelle Williams' ("Defendant") plea of guilty to Count One of the Indictment, to the extent that it charges the lesser included offense of conspiracy to distribute and possess with the intent to distribute five (5) grams or more of a mixture or substance containing a detectable amount of cocaine base ("crack") in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B), in exchange for the undertakings made by the government in the written plea agreement, (b) the Court adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; and (c) Defendant shall remain in custody pending sentencing in this matter (Doc. 162). Neither party filed an objection within the given ten days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 162) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment; and

(3) Defendant **SHALL REMAIN IN CUSTODY** pending sentencing on **Monday, November 2, 2009, at 9:00 am.**

SO ORDERED.

ENTER:

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE